

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

In re:

Revocation of Administrative Orders	)	Administrative Order No. 05-01
and New Procedural and Administrative	)	(Eastern Division)
Matters	)	
	)	

**ADMINISTRATIVE ORDER**

**IT IS HEREBY ORDERED:**

The following Administrative Orders previously issued are hereby **VACATED** and **SET ASIDE**:

- (1) Administrative Order to Clerk for Change of Name or Address of Holder of Claim dated August 29, 1988
- (2) Administrative Order to Clerk, Setting Procedures for Application for Payment of Professional Fees dated May 19, 1989
- (3) Administrative Order dated September 28, 1989 on Verified Statement for Settlement dated September 28, 1989
- (4) Administrative Order to Clerk, Setting Procedures for Motion for Approval of an Agreement Filed Pursuant to Bankruptcy Rule 4001(d) dated April 8, 1991
- (5) Administrative Order in Chapter 13 Cases dated January 27, 1997

**IT IS HEREBY FURTHER ORDERED:**

**I. DEFICIENT OR INCOMPLETE PETITIONS, LISTS, STATEMENTS, AND SCHEDULES**

- A. Upon the filing of a voluntary petition for relief under any chapter of the Bankruptcy Code, the debtor must file all documentation required by the Bankruptcy Code, the Bankruptcy Rules, or the local Bankruptcy Rules.
- B. In the event the petition is incomplete or fails to comply with the Bankruptcy Code, Bankruptcy Rules, or Local Bankruptcy Rules, the clerk shall mail a deficiency notice to the debtor and the attorney for the debtor accompanied by a notice which will make provision for an opportunity for hearing on the dismissal of the debtor's case for failure to file all required documents timely. The notice shall contain a provision stating that the debtor's case may be dismissed if all required documents are not filed

within fifteen (15) days from the date of the filing of the petition. If all documents are filed timely, the hearing on dismissal may be removed from the Court's calendar without further notice.

## **II. DOCUMENTATION IN COMPOSITION CHAPTER 13 CASES**

Within ten (10) days of the filing of a petition for relief under Chapter 13 of the Bankruptcy Code in a case in which the plan proposes to pay less than 100% to unsecured creditors, or within ten (10) days of the filing of a motion to modify the plan in a Chapter 13 case which reduces the proposed distribution to unsecured creditors to be less than 100%, the debtor must file with the clerk the following additional documentation:

1. The two (2) most recent pay stubs for the debtor and debtor's spouse, even if the debtor's spouse is not a codebtor;
2. All w-2 statements or income tax returns for the last calendar year for the debtor and the debtor's spouse, even if the debtor's spouse is not a codebtor;
3. A recent appraisal or statement from the tax assessor as to the value of each parcel of real estate in which the debtor owns an interest
4. A statement of the equity in any mobile home owned by the debtor.

If the debtor fails to file the additional documentation at the time of the filing of the plan or the motion to modify, the plan may not be confirmed or the motion to modify may not be granted until the debtor complies.

## **III. MOTIONS TO SUSPEND PAYMENTS, MOTIONS TO REDUCE PAYMENTS, AND MOTIONS TO MODIFY A CONFIRMED PLAN**

Except as otherwise directed by the Court, when the following motions are filed, the clerk shall send a notice to the parties to whom notice is properly given advising the party that a motion has been filed and that the party has twenty (20) days from the date of the notice to object to the filed motion and to request a hearing:

1. Motions to Suspend Payments
2. Motions to Reduce Payments
3. Motions to Modify Plan whether included with an Amendment to Schedules or not


If no objection is timely filed, the motion may be granted. The clerk shall set all objections filed for a hearing. The clerk shall not send such a notice on Amendments to Schedules which do not contain a Motion to Modify a Confirmed Plan.

## **IV. DEPOSITS WITH COURT REGISTRY**

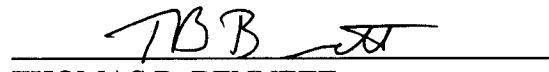
In accordance with Federal Rule of Bankruptcy Procedure 7067, all interpleader funds or

funds in the nature of an interpleader proceeding shall be deposited in the court registry without further order, if an adversary proceeding is pending or is contemporaneously filed wherein interpleader funds are tendered to the clerk.

Dated this the 4<sup>th</sup> day of May, 2005.

  
BENJAMIN COHEN  
Chief United States Bankruptcy Judge

  
TAMARA O. MITCHELL  
United States Bankruptcy Judge

  
THOMAS B. BENNETT  
United States Bankruptcy Judge